REMARKS

Claims 1-20 are pending in the above-identified application. Claims 1-20 were rejected in Final Office Action dated November 21, 2005. An Advisory Action mailed February 21, 2006 rejected proposed amendments and arguments for reconsideration of claims 1-20 as presented in an Amendment After Final dated January 23, 2006. With this preliminary amendment, claims 1-5, 7-13, 15-18, and 20 have been amended and new claim 21 has been added. Accordingly, claims 1-21 are at issue.

In the Final Office Action, the Examiner rejected claims 1-20 under 35 U.S.C. §103(g) as being unpatentable over *Bhagavath et al* (US Patent 6,647,001) in view of *Samadi et al* (US Patent 5,664,007). Although the Applicants do not agree with these rejections as set forth in the Amendment After Final, to further prosecution Applicants have further amended independent claims 1, 9, and 15 to include the following limitation for the claimed "communication relay device":

> *"...the session control means [of the communication relay device] has a session control table that includes each session status for each data communication session on each of the control terminals in which data associated with the respective session is received from the external network via the communications relay device, each session status in the session control table including at least one permit address, each permit address corresponding to a respective one of the control terminals permitted to receive data associated with the respective session;.."*

Applicants submit that neither *Bhagavath* nor *Samadi* disclose a communications relay device having a "session control means" that includes "a session control table" that stores for each "session status" one or more "permit addresses" corresponding to each control terminal permitted to access the respective session. For this reason and the additional reasons identified below, Applicants submit that the rejection to claims 1-20 should be withdrawn.

In the Advisory Action, the Examiner disagrees with Applicants' argument that "the prior art fail[s] to disclose a communication relay device having a session control means for controlling a session status of a data communication session on a first of the plurality of control terminals…and for controlling access to the session in accordance with a processing request received from one of the control terminal[s]." In particular, the Examiner states that the claim term "communication relay device" is in the preamble and, "therefore, given no patentable weight to it."

Applicants respectfully disagree. A preamble term is a limitation of claim when the preamble term "recites essential structure or steps or if it is necessary to give life, meaning, and vitality to the claim." *Seachange Intern., Inc. v. C-Cor, Inc.*, 413 F.3d 1361, 1375-76 (Fed. Cir. 2005). In each of the independent claims 1 and 15, the term "communications relay device" is defined as a structure "operatively connected between an external network and a local network in which a plurality of control terminals are connected…" The independent method claim 9 has been amended to clearly indicate that the claimed method is performed by a "communications relay device" having similar structural limitations as claims 1 and 15. Accordingly, each of the limitations of claims 1, 9, and 15 depend on the communication relay device being disposed between the external network and the local network so that the communication relay device is

able to relay data associated with a respective data communication session from the external network to a respective one of the local network terminals in accordance with the claimed structural or step limitations of claims 1, 9, and 15. Each of claims 1, 9, and 15 have been further amended to clearly identify that the preamble term "communication relay device" is a required structural limitation of each of the respective claims.

In addition, Applicants teach that a data communication session on a control terminal refers to a user communication session associated with one of a plurality of application sessions (e.g., a movie or phone session over IP) running on a respective control terminal and communicating with the external network as depicted, for example, in Fig. 9 (e.g., movie and private phone sessions on "pc before" associated with "user before"). Applicants further teach and claim that a user on one control terminal connected to the claimed communications relay device is able to access a data communication session on the first control terminal by sending a processing request (e.g., a resume request) to the session control means to cause the data communication session to be switched or copied to the one or second control terminal. See Application, at pg. 29-33; Figs. 12 and 13.

This is clearly unlike *Bhagavath*, which discloses a system 100 where a mobile unit 106 is configured to control its own session by changing its own network address from one address associated with one base station 102b connected to a network 116 access server 120 to a second address associated with a second base station 102c as the mobile unit 106 moves from a cell covered by the one base station 102b to another cell covered by the second base station 102c. *See Bhagavath*, Col. 5 line 53 - Col. 6 line 13; Fig. 1. To avoid terminating a current session between the mobile unit 106 and the access server 120, *Bhagavath* teaches that the mobile unit

106 stores "transitory state information of the session, as well as the address information," so that the mobile unit 106 itself can "preemptively transfer the session to the [second or] new address" and then "inform server 120 of the new address" to maintain the current session. *See Bhagavath*, Col. 6 line 20 - Col. 7 line 3; Col. 7 lines 21-38; Fig. 1. Thus, *Bhagavath*'s mobile unit 106 is not a communications relay device operatively connected between an external network and a local network of multiple terminals as taught and claimed by Applicants.

In the Advisory Action, the Examiner asserts that "*Bhagavath* discloses a technique to store session information such as [an] address and the transition information to allow continuation of the session." The Examiner further asserts that "*Bhagavath* discloses using a proxy to control the data about the status of the session, such as timestamp of the session and addresses of the mobile terminal." Applicants acknowledge that *Bhagavath* discloses an embodiment in which a proxy server 108 buffers session information for a corresponding mobile unit 106. However, in this embodiment, *Bhagavath* discloses that the proxy server 108 is configured to automatically determine that the corresponding mobile unit 106 is transferring from "the coverage of base station 102b to the coverage of base station 102c" and, in response to automatically determining that a transition is taking place, buffer the session information during the transition and "shift the mobile unit address from the old [address associated with base station 102b] to the new address [associated with base station 102c]." Accordingly, *Bhagavath* disclosed "proxy server" is not a communications relay device operatively connected between an external network and a local network of multiple terminals as taught and claimed by Applicants. Moreover, the *Bhagavath* "proxy server" does not have a session control means for, among other limitations, "controlling access to the first session [on a first of the plurality of control terminals]

in accordance with a processing request from one of the control terminals," (e.g., a second or different control terminal than the first terminal). Thus, Applicants submit that *Bhagavath* fails to disclose (alone or in combination with any other cited reference) a communications relay device (such as a network gateway) having a "session control means" as taught and claimed by the Applicants for "*controlling a first session status of a first data communication session on a first of the plurality of control terminals...and for controlling access to the first session in accordance with a processing request [e.g., a pause, list, resume, or call request] received from one [or a second] of the control terminals.*"

The Examiner also states that *Samadi* discloses a method for allowing an ongoing call to continue when a user travels from an area covered by one communication network to an area covered by a different communication network in which the call is put on hold in response to a pause request made by a user of one of the end points. However, unlike Applicants' claimed communications relay device, the method disclosed by *Samadi* requires an apparatus comprising a plurality of communication networks each having an associated processor for cooperatively transferring a call from the user. *See Samadi*, Abstract, Col. 4:45 - Col. 6:14. Accordingly, Applicants submit that *Samadi* fails to disclose a communications relay device operatively connected between an external network and a local network of multiple terminals as taught and claimed by Applicants.

Accordingly, for the reasons identified above, Applicants respectfully request that the rejection to independent claims 1, 9, and 15 as amended be withdrawn.

Claims 2-9 depend from claim 1 and should be deemed allowable for at least the same reasons as claim 1.

Claims 10-14 depend from claim 9 and, thus, should be deemed allowable for at least the same reasons as claim 9.

Claims 16-19 depend from claim 15 and, thus, should be deemed allowable for at least the same reasons as claim 15.

Applicants also respectively request consideration of new claim 21 directed to a communication relay device having a controller having limitations similar to the session control means of claim 1.

CONCLUSION

In view of the above amendments and remarks, Applicants submit that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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